

AMENDED IN ASSEMBLY MARCH 20, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

No. 689

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### Introduced by Assembly Member Bonta

February 21, 2013

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An act to add Section 1250.12 to the Health and Safety Code, relating to health facilities.

#### LEGISLATIVE COUNSEL'S DIGEST

AB 689, as amended, Bonta. Health facilities: ~~influenza and pneumococcal disease~~; *influenza*.

Under existing law, the State Department of Public Health licenses and regulates various types of health facilities, including general acute care hospitals. A violation of these provisions is a crime, as specified.

This bill would require each general acute care hospital annually, beginning no later than October 1 and ending on the following April 1, except when there is a national vaccine shortage *or when a physician does not recommend that the patient receive an influenza vaccine due to potential health hazards*, to offer onsite vaccinations for influenza and pneumococcal disease to all patients at discharge, pursuant to the procedures of the hospital and in accordance with the recommendations of the ~~advisory committee on immunization practices~~ *Advisory Committee on Immunization Practices* of the Centers for Disease Control and Prevention of the United States Department of Health and Human Services, as the recommendations ~~existed~~ *exist and are annually updated, if applicable*, on January 1, ~~2012~~ *of the year in which the vaccine is offered*.

Because the bill would create a new crime, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 1250.12 is added to the Health and Safety  
 2     Code, to read:  
 3     1250.12. In order to prevent, detect, and control ~~pneumonia~~  
 4     ~~and~~ influenza outbreaks, each general acute care hospital, shall  
 5     annually, beginning no later than October 1 and ending on the  
 6     following April 1, except when there is a national vaccine shortage  
 7     ~~or when a physician does not recommend that the patient receive~~  
 8     ~~an influenza vaccine due to potential health hazards,~~ offer onsite  
 9     vaccinations for influenza ~~and pneumococcal disease~~ to all patients  
 10    at discharge, pursuant to the procedures of the facility and in  
 11    accordance with the recommendations of the ~~advisory committee~~  
 12    ~~on immunization practices~~ *Advisory Committee on Immunization*  
 13    ~~Practices~~ of the Centers for Disease Control and Prevention of the  
 14    United States Department of Health and Human Services, as the  
 15    recommendations ~~existed~~ *exist and are annually updated, if*  
 16    ~~applicable, on January 1, 2012. 1 of the year in which the vaccine~~  
 17    ~~is offered.~~ Nothing in this section shall be construed to require a  
 18    hospital to cover the cost of a vaccination provided pursuant to  
 19    this section.  
 20    SEC. 2. No reimbursement is required by this act pursuant to  
 21    Section 6 of Article XIII B of the California Constitution because  
 22    the only costs that may be incurred by a local agency or school  
 23    district will be incurred because this act creates a new crime or  
 24    infraction, eliminates a crime or infraction, or changes the penalty  
 25    for a crime or infraction, within the meaning of Section 17556 of  
 26    the Government Code, or changes the definition of a crime within  
 27    the meaning of Section 6 of Article XIII B of the California  
 28    Constitution.

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